

DISTRICT OF NEVADA

Case No.: 2:12-cv-02086-MMD-VCF

VS.

**MOTION FOR DEFAULT
JUDGMENT AGAINST
DEFENDANT GARY GLENN**

Defendants.


Plaintiff FIDELITY NATIONAL TITLE INSURANCE COMPANY, successor-in-interest to LAWYERS TITLE INSURANCE CORPORATION (hereinafter jointly referred to as "Plaintiff"), by and through its attorneys of record, the Fidelity National Law Group, and pursuant to Rule 55(b)(1) hereby moves the Court that judgment by default be entered against Defendant GARY GLENN. The defendant was served with the summons and complaint on January 12, 2013. No answer has been filed by the defendant and the defendant is not incompetent, an infant, and was not served by publication.

Plaintiff filed an Application for Entry of Default on February 7, 2013. Defendant still failed to appear or otherwise plead. The Affidavit of Service is attached hereto as **Exhibit 1**. As a result, the default is effective under Rule 55(a), Federal Rules of Civil Procedure. The amount of Plaintiff's claim is for a sum certain.

1 Specifically, Plaintiff requests this Court to award it damages in the principal amount of
2 \$163,000.00, as a result of Defendant's Negligent Misrepresentation.

3 Wherefore, Plaintiff respectfully requests this Court enter a Judgment against Defendant
4 and for the amounts set forth in the Judgment submitted herewith.

5 DATED this 3rd day of March, 2014. FIDELITY NATIONAL LAW GROUP

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8 Christina H. Wang, Esq.
9 Nevada Bar No. 9713
10 2450 St. Rose Pkwy., Ste. 150
11 Henderson, Nevada 89074
12 Attorneys for Plaintiff Fidelity
13 National Title Insurance Company,
14 successor-in-interest to Lawyers Title
15 Insurance Corporation
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AFFIDAVIT OF CHRISTINA H. WANG, ESQ.
IN SUPPORT OF APPLICATION FOR DEFAULT JUDGMENT

STATE OF NEVADA)
COUNTY OF CLARK) ss.

I, CHRISTINA H. WANG, ESQ., do hereby swear under penalty of perjury that the following assertions are true to the best of my knowledge and belief and as provided to me by my client:

1. Affiant is the attorney of record for Plaintiff in the above-entitled matter.
2. The Summons of Plaintiff's Complaint was issued to Gary Glenn on January 4, 2013.
3. The Affidavit of Service reflects that Defendant Gary Glenn was personally served on January 12, 2013 attached hereto as **Exhibit 1**.
4. Defendant Gary Glenn failed to answer or otherwise respond to Plaintiff's Complaint as required by said Summons and as provided by the Federal Rules of Civil Procedure.
5. Plaintiff was damaged in the amount of \$163,000.00. Please see the cover letter and a copy of the check attached hereto as Exhibit 2.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 3rd day of March, 2014.

Christina H. Wang
CHRISTINA H. WANG, ESQ.

SUBSCRIBED AND SWORN to before
Me this 3rd day of March, 2014.

Mia Hurtado
NOTARY PUBLIC



CERTIFICATE OF SERVICE

I hereby certify that I electronically transmitted the foregoing **APPLICATION FOR DEFAULT JUDGMENT AGAINST DEFENDANT GARY GLENN** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all parties listed as CM/ECF registrants, or to the following non-registrants by U.S. Mail, on the date below shown.

Gary Glenn
605 Freeman Ave.
Las Vegas, Nevada 89106

DATED: 3/13/2014

Wayne L. Lillis
An employee of Fidelity National Law Group

EXHIBIT 1

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AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

FIDELITY NATIONAL TITLE INSURANCE
COMPANY, successor-in-interest to LAWYERS
TITLE INSURANCE CORPORATION, a foreign
corporation,

Plaintiff(s)

v.

JUSTIN J. GLENN, an individual; GARY GLENN, an
individual; REAL T.S.OLUTIONS, INC., a Nevada
corporation; DOES I through X; and ROE BUSINESS
ENTITIES XI through XX;

Defendant(s)

Civil Action No. 2:12-cv-02086-MMD-VCF

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Gary Glenn
605 Freeman Avenue
Las Vegas, Nevada 89108-2719

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Fidelity National Law Group
Christina H. Wang, Esq.
2250 St. Rose Pkwy., Ste. 150
Henderson, Nevada 89074

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

LANCE S. WILSON

CLERK

Lance S. Wilson

(By) DEPUTY CLERK



1/4/13

DATE

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (i))

~~and Complaint~~
 This summons for (name of individual and title, if any) GARY GLENN
 was received by me on (date) JANUARY 9, 2013.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☒ I left the summons at the individual's residence or usual place of abode with (name) BARBARA GLENN
Wife at 605 Freeman Ave Las Vegas, NV 89106, a person of suitable age and discretion who resides there,
 on (date) JANUARY 12, 2013, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) _____, who is
 designated by law to accept service of process on behalf of (name of organization) _____
 on (date) _____; or


☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ 6 for travel and \$ 65.00 for services, for a total of \$ 65.00
0.00

I declare under penalty of perjury that this information is true.

Date: 1/15/13


 Server's signature
GENICE O. ROYAS - REGISTRATION # R002713

Printed name and title
ROBERT D. LAWSON INVESTIGATIONS, LLC
1148 S MARYLAND PKWY
LAS VEGAS NV 89104
LICENSE # 1077
 Server's address

Additional information regarding attempted service, etc:

EXHIBIT 2



Commonwealth Land Title Insurance Company
Omaha Claims Center
6601 Frances Street
Omaha, NE 68106
Direct: 402.498.7000
Fax: 402.498.7898
Toll Free: 888.453.4095

May 4th, 2012

Steve Shevorski
Akerman Senterfitt LLP
1160 Town Center Drive
Suite 330
Las Vegas, NV 89144

RE: Claim No. 364369

Mr. Shevorski:

Attached please find Check No. 10118301 for \$163,000.00 in payment to Bank of America as full payment on the above-referenced title claim. Should you have any questions or comments, feel free to contact Scott Walls at 402-970-3974 or via email at Scott.Walls@fnf.com.

Very truly yours,

A handwritten signature in black ink, appearing to read "Clint R. Blome". The signature is fluid and cursive, with a long horizontal stroke at the end.

Clint R. Blome
Assistant to Scott Walls

Fidelity National Title Ins. Co.

10118301

VENDOR NO: 3273		NAME: BANK OF AMERICA, N.A.		CHECK DATE: 5/3/2012	
REFERENCE	INV DATE	CLAIM NUMBER	GROSS AMOUNT	DISCOUNT TAKEN	NET AMOUNT PAID
TR757860	5/3/2012	364369	163,000.00	0.00	163,000.00
TOTAL >			163,000.00	0.00	163,000.00

*** COPY ***

Fidelity National Title Ins. Co.

10118301

VENDOR NO: 3273		NAME: BANK OF AMERICA, N.A.		CHECK DATE: 5/3/2012	
REFERENCE	INV DATE	CLAIM NUMBER	GROSS AMOUNT	DISCOUNT TAKEN	NET AMOUNT PAID
TR757860	5/3/2012	364369	163,000.00	0.00	163,000.00
TOTAL >			163,000.00	0.00	163,000.00

THIS CHECK IS VOID WITHOUT A BLUE & RED BACKGROUND AND A WATERMARK - HOLD UP TO THE LIGHT TO VERIFY

Fidelity National Title Ins. Co.
 601 Riverside Avenue
 Bldg. 5, 6th Floor
 Jacksonville, FL 32204 (904) 854-5082

Harris Trust and Savings Bank
 Roselle, IL
 70-1558/719

10118301

DATE	5/3/2012
AMOUNT	163,000.00

PAY One Hundred Sixty Three Thousand and 00/100

TO THE ORDER OF
 BANK OF AMERICA, N.A.

David K. Murphy

CHECK IS PRINTED ON SECURITY PAPER WHICH INCLUDES A MICROPRINT BORDER & FLUORESCENT FIBERS

10118301 10719155801 0431714653 0016300000